

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listing of claims in the application.

1. (CURRENTLY AMENDED) A carton for containing a plurality of articles comprising:

a plurality of walls including a bottom wall spaced from a top wall, a pair of spaced side walls and a pair of spaced end walls, the side and end walls extending between the top and bottom walls;

a plurality of flaps extending from at least some of the walls, the end walls being formed by combinations of the flaps;

a corner of the carton formed by one of the end walls and either the top wall or the bottom wall; and

a dispenser portion for dispensing articles from the carton, the dispenser portion of the carton being defined by at least one tear line formed in [[from]] more than one of the flaps and at least in part from the corner to define a dispenser opening for exposing an article for removal from the carton;

wherein the dispenser portion does not include either of the side walls.

2. (ORIGINAL) The carton of claim 1 wherein the corner is formed by one of the end walls and the top wall.

3. (ORIGINAL) The carton of claim 2 wherein the dispenser portion is hingedly attached to the top wall.

4. (ORIGINAL) The carton of claim 1 further comprising:
a finger hole for grasping the dispenser portion, the finger hole being located opposite from the corner.

5. (ORIGINAL) The carton of claim 4 wherein the finger hole is located at least in part in the bottom wall.

6. (ORIGINAL) The carton of claim 1 wherein the dispenser portion is confined to the end wall and the top wall.

7. (PREVIOUSLY PRESENTED) The carton of claim 1 further comprising:
at least one retaining panel adjacent the dispenser opening to retain the remaining articles in the carton.

8. (ORIGINAL) The carton of claim 7 further comprising a pair of the retaining panels, each of which is positioned adjacent to one of the side panels.

9. (ORIGINAL) The carton of claim 7 wherein a height of the at least one retaining panel is over half of the height of the one end wall.

10. (ORIGINAL) The carton of claim 7 wherein a width of the at least one retaining panel is less than half of the width of the one end wall.

11. (ORIGINAL) The carton of claim 1 wherein the dispenser opening extends substantially the entire height of the one end wall.

12. (ORIGINAL) The carton of claim 1 further comprising:
a handle opening in the top wall.

13. (ORIGINAL) The carton of claim 12 wherein the dispenser portion is adapted to be releasably inserted into the handle opening to maintain access through the dispenser opening to the articles in the carton.

14. (ORIGINAL) The carton of claim 1 further comprising:
a pair of spaced tear lines each extending through the one end wall.

15. (ORIGINAL) The carton of claim 14 wherein each tear line extends to the top wall.

16. (ORIGINAL) The carton of claim 15 wherein each tear line extends along a juncture between the top wall and one of the side walls.

17. (ORIGINAL) The carton of claim 15 further comprising:

a fold line extending through the top panel and joining the tear lines.

18. (ORIGINAL) The carton of claim 1 wherein the dispenser portion remains attached to the carton.

19. (CURRENTLY AMENDED) A carton for containing a plurality of articles comprising:

a plurality of walls including a bottom wall spaced from a top wall, a pair of spaced side walls and a pair of spaced end walls, the side and end walls extending between the top and bottom walls;

a plurality of flaps extending from at least some of the walls, the end walls being formed by combinations of the flaps;

a corner of the carton formed by one of the end walls and one of the top and bottom walls; and

a dispenser portion for dispensing articles from the carton, the dispenser portion of the carton being defined by at least one tear line formed in [[from]] more than one of the flaps and at least in part from the corner to define a dispenser opening for exposing an article for removal from the carton;

wherein the dispenser opening extends substantially the entire height of the one end wall.

20. (ORIGINAL) The carton of claim 19 wherein the dispenser portion does not include either of the side walls.

21. (ORIGINAL) The carton of claim 19 wherein the corner is formed by one of the end walls and the top wall.

22. (ORIGINAL) The carton of claim 21 wherein the dispenser portion is hingedly attached to the top wall.

23. (ORIGINAL) The carton of claim 19 further comprising:
a finger hole for grasping the dispenser portion, the finger hole being located opposite from the corner.

24. (ORIGINAL) The carton of claim 23 wherein the finger hole is located at least in part in the bottom wall.

25. (ORIGINAL) The carton of claim 19 wherein the dispenser portion is confined to the end wall and the top wall.

26. (PREVIOUSLY PRESENTED) The carton of claim 19 further comprising:

at least one retaining panel adjacent the dispenser opening to retain the remaining articles in the carton.

27. (ORIGINAL) The carton of claim 26 further comprising a pair of the retaining panels, each of which is positioned adjacent to one of the side panels.

28. (ORIGINAL) The carton of claim 26 wherein a height of the at least one retaining panel is over half of the height of the one end wall.

29. (ORIGINAL) The carton of claim 26 wherein a width of the at least one retaining panel is less than half of the width of the one end wall.

30. (ORIGINAL) The carton of claim 19 further comprising:
a handle opening in the top wall.

31. (ORIGINAL) The carton of claim 30 wherein the dispenser portion is adapted to be releasably inserted into the handle opening to maintain access through the dispenser opening to the articles in the carton.

32. (ORIGINAL) The carton of claim 19 further comprising:
a pair of spaced tear lines each extending through the one end wall.

33. (ORIGINAL) The carton of claim 32 wherein each tear line extends to the top wall.

34. (ORIGINAL) The carton of claim 33 wherein each tear line extends along a juncture between the top wall and one of the side walls.

35. (ORIGINAL) The carton of claim 33 further comprising:
a fold line extending through the top panel and joining the tear lines.

36. (ORIGINAL) The carton of claim 19 wherein the dispenser portion remains attached to the carton.

37. (CURRENTLY AMENDED) A carton for containing a plurality of articles comprising:

a plurality of walls including a bottom wall spaced from a top wall, a pair of spaced side walls and a pair of spaced end walls, the side and end walls extending between the top and bottom walls;

a plurality of flaps extending from at least some of the walls, the end walls being formed by combinations of the flaps;

a corner of the carton formed by one of the end walls and the top wall;

a dispenser portion hinged to the top wall for dispensing articles from the carton, the dispenser portion of the carton being defined by at least one tear line

formed in ~~[[from]]~~ more than one of the flaps and at least in part from the corner to define a dispenser opening for exposing an article for removal from the carton;

wherein the dispenser portion does not include either of the side walls and is confined to the one end wall and the top wall;

wherein the dispenser opening extends substantially the entire height of the one end wall;

a finger hole for grasping the dispenser portion, the finger hole being located at least in part in the bottom wall;

a pair of retaining panels in the end wall adjacent the dispenser opening to retain the remaining articles in the carton, each retaining panel being positioned adjacent to one of the side panels.

38. (ORIGINAL) The carton of claim 37 wherein a height of the at least one retaining panel is over half of the height of the one end wall.

39. (ORIGINAL) The carton of claim 37 wherein a width of the at least one retaining panel is less than half of the width of the one end wall.

40. (ORIGINAL) The carton of claim 37 further comprising:
a handle opening in the top wall.

41. (ORIGINAL) The carton of claim 40 wherein the dispenser portion is adapted to

be releasably inserted into the handle opening to maintain access through the dispenser opening to the articles in the carton.

42. (ORIGINAL) The carton of claim 37 further comprising:

a pair of spaced tear lines each extending through the one end wall and to the top wall along a juncture between the top wall and one of the side walls; and
a fold line extending through the top panel and joining the tear lines.

43. (CURRENTLY AMENDED) A package comprising:

an article group formed of at least one tier of cylindrical articles disposed on sides thereof in a side-by-side parallel fashion; and

a carton disposed around the article group;

the carton comprising:

a plurality of walls including a bottom wall spaced from a top wall, a pair of spaced side walls and a pair of spaced end walls, the side and end walls extending between the top and bottom walls;

a plurality of flaps extending from at least some of the walls, the end walls being formed by combinations of the flaps;

a corner of the carton formed by one of the end walls and one of the top and bottom walls; and

a dispenser portion for dispensing the articles from the carton, the dispenser portion of the carton being defined by at least one tear line formed in [[(from)]]

more than one of the flaps and at least in part from the corner to define a dispenser opening for exposing one of the articles for removal from the carton;

wherein the dispenser opening extends substantially the entire height of the one end wall.

44. (ORIGINAL) The package of claim 43 further comprising:

a retaining panel for inhibiting each of the articles from undesirably exiting the carton when the dispenser opening is exposed.

45. (ORIGINAL) The package of claim 44 further comprising a pair of the retaining panels, each of which is positioned adjacent to one of the side panels.

46. (ORIGINAL) The package of claim 44 wherein the retaining panel is sufficiently high to retain the articles in the uppermost tier of the package in the carton until removed by a user.

47. (ORIGINAL) The package of claim 44 wherein a width of the retaining panel is less than half of the width of the end wall.

48. (ORIGINAL) The package of claim 43 further comprising:

a handle opening in the top wall.

49. (ORIGINAL) The package of claim 48 wherein the dispenser portion is adapted to be releasably inserted into the handle opening to maintain access through the dispenser opening to the articles in the carton.

50. (ORIGINAL) The package of claim 43 wherein the article group comprises at least two vertically arranged tiers of cylindrical articles, the articles in each tier being disposed on sides thereof in a side-by-side parallel fashion, opposite ends of each of the articles in the carton being concealed by the side walls when the dispenser opening is exposed.

51. (ORIGINAL) A blank for forming a carton comprising:

a plurality of serially connected side wall, top wall and bottom wall panels adapted to form a pair of spaced side walls and a top wall and a bottom wall of the carton;

a plurality of side wall, top wall and bottom wall flaps each connected to ends of the respective side wall, top wall and bottom wall panels, the side wall, top wall and bottom wall flaps adapted to form end walls of the carton; and

a plurality of tear lines adapted to form a dispenser opening in the carton, the dispenser opening including a corner of the carton formed by the top wall and one of the end walls, the tear lines extending through selected ones of the bottom wall flaps and the side wall flaps;

wherein the tear lines do not extend into the side wall panels.

52. (ORIGINAL) The blank of claim 51 wherein the tear lines extend along the junctures between the top wall panel and the side wall panels.

53. (CURRENTLY AMENDED) The blank of claim 51 further comprising:

a fold line in the top wall panel spanning a pair of the tear lines.

54. (ORIGINAL) The blank of claim 51 further comprising:

a finger hole adjacent to the bottom wall panel at least one of the tear lines and adapted to commence tearing of the carton along the tear lines to expose the dispenser opening in the carton.

55. (CURRENTLY AMENDED) A container comprising:

twelve substantially identical cylindrical twelve-ounce beverage cans, each can having a height and a diameter;

a rectangular paper carton adapted to contain the twelve cylindrical beverage cans in a row and column arrangement, the row and column arrangement including a top row and a next-to-the-top row;

a plurality of walls including a pair of end walls, a top wall, a bottom wall and two side walls of the paper carton, the end walls having a height, the top and bottom walls having a length;

a plurality of flaps extending from at least some of the walls, the end walls being

formed by combinations of the flaps;

wherein the rectangular paper carton is adapted to enclose the twelve cylindrical beverage cans such that the height of each end wall is about equal to a multiplicity of whole can diameters and the lengths of the bottom and top walls are each about equal to a multiplicity of whole can diameters; and

at least one scored line adapted to form a dispenser opening in one of the end walls, the at least one scored line located in more than one of the flaps such that removal of a portion of the associated end wall defines a retaining panel that retains the cylindrical cans in both the top and next-to-the-top rows from falling out of the container when the bottom wall is on a support surface.

56. (PREVIOUSLY PRESENTED) The container of claim 55 wherein the at least one scored line extends upwardly toward the top wall such that removal of a portion of the top wall adjacent the at least one scored line results in a dispenser opening at a juncture of the one end wall and the top wall providing access to the beverage cans

57. (PREVIOUSLY PRESENTED) The container of claim 56 wherein the scored line and the dispenser opening each extends substantially the entire height of the one end wall.

58. (PREVIOUSLY PRESENTED) The container of claim 56 wherein at least a portion of the dispenser opening extends substantially the entire width of the one end wall.

59. (PREVIOUSLY PRESENTED) The container of claim 55 further comprising a pair of the retaining panels in the one end wall, each retaining panel being located adjacent one of the side walls and having a height sufficient to retain the beverage cans in the top row.

60. (PREVIOUSLY PRESENTED) The container of claim 55 wherein the beverage cans are arranged in only two rows with six cans in each row.

61. (PREVIOUSLY PRESENTED) The container of claim 55 further comprising:
a finger hole for initiating the tearing of the carton along the scored line, the finger hole being spaced from the juncture between the one end wall and the top wall.

62. (PREVIOUSLY PRESENTED) The container of claim 56 wherein the dispenser opening includes the entire juncture of the carton between the one end wall and the top wall.

63. (PREVIOUSLY PRESENTED) A carton for containing cylindrical beverage cans arranged in two rows with an equal number of aligned cans in each row, the carton

comprising:

- a bottom panel, top panel and foldably attached adjoining side panels;

- a plurality of flaps extending from at least some of the panels;

- a dispensing end wall formed from combinations of the flaps and having a tear line for forming a container dispenser, the tear line extending in more than one flap and along a juncture between at least one side panel and the top panel to a distance spaced from the dispensing end wall and in the dispensing end wall toward the bottom panel;

- a retaining panel in the dispensing end wall adjacent one of the side panels defined in part by the tear line through the dispensing end wall, the retaining panel having a height such that when the carton is on a support surface and the dispenser is opened the retaining panel prevents the end container in a bottom row from accidentally rolling out of the carton; and

- an end wall opposite from the dispensing end wall.

64. (PREVIOUSLY PRESENTED) The carton of claim 63 wherein the retaining panel inhibits the end container in each of the rows from accidentally rolling out of the carton.

65. (CURRENTLY AMENDED) A method of opening an enclosed carton containing a plurality of containers in rows, including at least a top row and a bottom row, the carton having (i) a top panel, side panels, a bottom panel, and closed ends formed by combinations of flaps extending from at least some of the panels, at least one of the

ends is an exiting end, and (ii) a dispenser which is a unitary structure comprising a portion of the top panel, portions of more than one of the flaps and the upper portion of the exiting end, said ~~portions~~ dispenser being defined by a tear line extending in the top panel and more than one flap that defines the exiting end, the method comprising the steps of:

inserting a person's fingers into the carton proximate a juncture between the exiting end and the bottom panel; and

pulling the dispenser open along the portions of the tear line that extend in the exiting end, portions of more than one flap and the top panel.

66. (CURRENTLY AMENDED) A carton for containing a plurality of similar cylindrical beverage cans arranged in at least two rows, the carton comprising:

a bottom panel, top panel and foldably attached adjoining side panels;

a plurality of flaps extending from at least some of the panels;

a dispensing end wall formed by a combination of the flaps having a tear line extending through more than one of the flaps for forming a container dispenser such that the cans in the carton are accessible when the container dispenser is removed from the end wall;

wherein the removal of the container dispenser is initiated at a portion of the tear line located proximate a juncture of the dispensing end wall and the bottom panel and the container dispenser includes a portion of the dispensing end wall at a juncture with the top panel; and

a retaining panel in the dispensing end wall adjacent one of the side panels defined in part by the tear line through the dispensing end wall, the retaining panel having a height such that when the carton is on a support surface and the container dispenser is removed from the dispensing end wall the retaining panel inhibits the end container in the bottom row from accidentally rolling out of the carton; and

an end wall opposite from the dispensing end wall.

67. (PREVIOUSLY PRESENTED) The carton of claim 66 wherein the retaining panel inhibits the end container in each of the rows from accidentally rolling out of the carton.

68. (PREVIOUSLY PRESENTED) The carton of claim 19 further comprising:
a tear line forming the dispenser opening and extending from the top wall to the bottom wall, at least a portion of the tear line being in the end wall.

69. (PREVIOUSLY PRESENTED) The carton of claim 19 wherein the dispenser opening extends the full width of the top wall.

70. (PREVIOUSLY PRESENTED) The carton of claim 27 wherein the retaining panels are spaced from one another.

71. (PREVIOUSLY PRESENTED) The carton of claim 26 wherein the retaining panel is less than the height of the end wall.

72. (PREVIOUSLY PRESENTED) The package of claim 43 wherein the article group comprises at least two vertically arranged tiers of cylindrical articles, the articles in each tier being disposed on sides thereof in a side-by-side parallel fashion.

73. (PREVIOUSLY PRESENTED) The package of claim 45 wherein the retaining panels are spaced from each other.

74. (CURRENTLY AMENDED) A blank for forming a carton comprising:

a plurality of serially connected panels adapted to form a pair of spaced side walls and a top wall and a bottom wall of the carton;

a plurality of flaps each connected to one end of one of the panels, selected flaps adapted to combine to form end walls of the carton; and

a plurality of tear lines adapted to form a dispenser opening in the carton, the dispenser opening including a corner of the carton formed by the top wall and one of the end walls, the tear lines extending through more than one ~~at least some~~ of the selected flaps forming the one end wall;

wherein the dispenser opening extends the full height of the one end wall.

75. (PREVIOUSLY PRESENTED) The blank of claim 74 wherein the dispenser

opening includes a full width portion of the top wall.

76. (PREVIOUSLY PRESENTED) The blank of claim 74 wherein the tear lines are adapted of form a pair of spaced retaining panels in the one end wall.

77. (PREVIOUSLY PRESENTED) The blank of claim 76 wherein each retaining panel is adjacent one of the side walls.

78. (PREVIOUSLY PRESENTED) The blank of claim 76 wherein each retaining panel extends less than the full height of the one end wall.